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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/640,104	08/15/2000	Dirk Adolph	RCA 89,739	1502

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Joseph S Tripoli
Thomson Multimedia Licensing Inc
Two Independence Way
P O Box 5312
Princeton, NJ 08543-5312

EXAMINER

DUGGINS, ALICIA M

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/640,104

Applicant(s)

ADOLPH ET AL.

Examiner

Alicia M Duggins

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 1 recites the limitation "said edited bit stream" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Comer (US6201927).

Regarding claims 1 and 8, Comer teaches a method and device for reproducing a digital data stream in (col.1 ll.51-63) including:

- decoding the incoming digital data stream in normal play mode (2) in fig. 3
- creating a group of picture history and storing it into a GOP logger figs. 1A and 1B (col.2 ll.26-27)

- editing for playback fig. 1B (col.2 ll.53-57)
- decoding bit stream for tick mode display in fig.2 (col.2 ll.64-67)

Regarding claims 2 and 9, Comer shows maintaining and displaying a last decoded picture during decoding of the bit stream in fig. 1B (col. ll.53-57).

Regarding claims 3 and 10, decoding using two frame buffers is shown in figs.4 (60C and 60D) and 5A.

Regarding claims 4 and 11, decoding a B-frame without storing its content is shown in fig. 1A.

Regarding claims 5 and 12, controlling a tick mode playback by a trick mode controller is shown in fig.3

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLaren in view of Comer

Regarding claims 6,7,13 and 14, Comer teaches a digital device and method of reproducing in trick play modes, but what is not shown and is shown by McLaren (US6122433) in fig.6 is controlling trick mode play back comprising:

- receiving a command from a mode request unit (col.10 ll.55-58)
- requesting content of group of picture history (col.10 ll.58-61)
- controlling a pick up device for data stream selection (col.10 ll.47-55)
- enabling bit stream editing for trick mode application(col.10 ll.58-61)
- controlling said decoding(col.10 ll.47-55)
- initiating a display switch for displaying a target picture or sequence of pictures(col.10 ll.47-55)

It would have been obvious to one of ordinary skill in the art to combine the teachings of Comer and McLaren to enable a viewer to remotely control trick play modes of a digital device capable of reproducing trick play modes.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hallberg (US6658199)

Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Alicia M Duggins whose telephone number is (703)305-5621. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703)305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMD
3/8/2004


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000